

Attorney's Docket No. 99-0643
 Client's Docket No. DLL627

PATENT Utility APPLICATION COVER SHEET



BOX PATENT APPLICATION
 HONORABLE ASSISTANT COMMISSIONER FOR PATENTS
 Washington, D. C. 20231

JC525 U.S. PTO
 09/480520
 01/07/00

Sir:

Transmitted herewith for filing is the utility patent application of:

INVENTOR: DEREK ANDERSEN

FOR: STUD MARKING DEVICE

Enclosed are:

- Postcard for receipt stamp and return.
- Applicant's Check for **\$380.00**, covering fees calculated below.
- Specification with Claims, Abstract, & Declaration & Power of Attorney
- A verified statement to establish small entity status under 37C.F.R § 1.9 and 37 C.F.R. § 1.27.
- 4 sheets of drawing.
- Cover Sheet & Assignment to: _____
- Information Disclosure Statement.

The filing fee has been calculated as shown below:

FOR:	(Col. 1)	(Col. 2)	SMALL ENTITY	
	No. Filed	No. Extra	RATE	FEE
BASIC FEE			\$380	\$345
TOTAL CLAIMS	14	-20=	0	x09 0
INDEPENDENT CLAIMS	2	- 3=	0	x39 0
MULTIPLE DEPENDENT CLAIMS			PRESENTED +125	
			TOTAL	\$345

DEPOSIT ACCOUNT AUTHORIZATION

The Commissioner is hereby authorized to charge any fees, which are not otherwise submitted and which may be required under 37 CFR 1.17 during the entire pendency of this application, to the Deposit Account # **11-0020**.

January 7, 2000

IVAR M. KAARDAL, Reg. No. 29,812
 KAARDAL & ASSOCIATES, PC
 3500 South First Ave. Circle-Suite 250
 SIOUX FALLS, SD 57105-5807
 (605) 336-9446 FAX (605) 336-1931
 e-mail: patent@kaardal.com

Date

Attorney's Docket No. 99-0643
Client's Docket No. DLL627

In the United States Patent and Trademark Office

In re Application of:
DEREK ANDERSEN

Filed: **UTILITY PATENT APPLICATION**

For: **STUD MARKING DEVICE**

Assistant Commissioner for Patents and Trademarks
Washington, D.C. 20231

Date of Deposit: January 7, 2000

I hereby certify that the attached U.S. Patent Application, informal drawings, transmittal letter, priority document, and/or Preliminary Amendment are being deposited with the United States Postal Service under Express Mail service **#EL 248492110 US** on the date indicated above and is addressed to the Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Barbara Roos

January 7, 2000
Date

BARBARA ROOS
KAARDAL & ASSOCIATES, PC
3500 South First Ave. Circle-Suite 250
SIOUX FALLS, SD 57105-5807
(605) 336-9446 FAX (605) 336-1931
e-mail patent@kaardal.com

Attorney's Docket No. K&A 99-0643
Client's Docket No. DLL627

Applicant or Patentee: **DEREK ANDERSEN**

Serial or Patent Number:

Filed or Issued:

For: **STUD MARKING DEVICE**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled as above and described in:

the specification filed herewith.

application serial number _____, filed _____.

patent no. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization

persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: NOT APPLICABLE

INDIVIDUAL

ADDRESS: NOT APPLICABLE

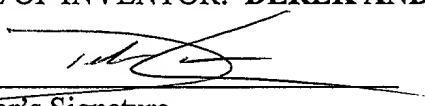
SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR: DEREK ANDERSEN


Inventor's Signature

Date: 12-6-99

Attorney's Docket No. K&A 99-0643
Client's Docket No. DLL627

APPLICATION

FOR UNITED STATES LETTERS PATENT

SPECIFICATION

TO ALL WHOM IT MAY CONCERN:

BE IT KNOWN THAT I, **DEREK ANDERSEN**, a citizen of
UNITED STATES OF AMERICA, have invented a new and useful
STUD MARKING DEVICE of which the following is a
specification:

STUD MARKING DEVICE

5

BACKGROUND OF THE INVENTION

Field of the Invention

10 The present invention relates to a stud marker and more particularly pertains to a new stud marking device for easily and quickly marking locations of studs.

15 Description of the Prior Art

 The use of a stud marker is known in the prior art. More specifically, a stud marker heretofore devised and utilized are known to consist basically of familiar, expected and obvious 20 structural configurations, notwithstanding the myriad of designs encompassed by the crowded prior art which have been developed for the fulfillment of countless objectives and requirements.

 Known prior art includes U.S. Patent No. 3,577,918; U.S. 25 Patent No. 5,749,522; U.S. Patent No. Des. 383,399; U.S. Patent No. 4,989,342; U.S. Patent No. 3,835,543; and U.S. Patent No. 3,616,541.

While these devices fulfill their respective, particular objectives and requirements, the aforementioned patents do not disclose a new stud marking device. The inventive device includes a handle having a tubular base member having a pair of prong-like members extending outwardly from a bottom thereof, and further having three telescopic members slidably and lockingly extended within one another, and further includes a wheel being of many different sizes and being rotatably mounted to the prong-like members. As a first embodiment, the wheel has a bore radially extended through the circumference with a marker being threaded in the bore and having a marking end which extends outwardly beyond the circumference. As a second embodiment, the base member has an extended portion with a keypad member mounted thereto, an LCD display and driver disposed therein, a microcontroller having read only memory disposed in the extended portion, a spring-loaded marker disposed in a bottom of the extended portion, and a plurality of marker-triggering members securely and spacedly disposed on one side of the wheel for triggering the release of the spring-loaded marker to mark the locations of the studs.

20

In these respects, the stud marking device according to the present invention substantially departs from the conventional concepts and designs of the prior art, and in so doing provides an apparatus primarily developed for the purpose of easily and quickly marking locations of studs.

SUMMARY OF THE INVENTION

In view of the foregoing disadvantages inherent in the known types of a stud marker now present in the prior art, the present invention provides a new stud marking device construction wherein

the same can be utilized for easily and quickly marking locations of studs.

The general purpose of the present invention, which will be described subsequently in greater detail, is to provide a new stud marking device which has many of the advantages of the stud marker mentioned heretofore and many novel features that result in a new stud marking device which is not anticipated, rendered obvious, suggested, or even implied by any of the prior art a stud marker, either alone or in any combination thereof.

To attain this, the present invention generally comprises includes a handle having a tubular base member having a pair of prong-like members extending outwardly from a bottom thereof, and further having three telescopic members slidably and lockingly extended within one another, and further includes a wheel being of many different sizes and being rotatably mounted to the prong-like members. As a first embodiment, the wheel has a bore radially extended through the circumference with a marker being threaded in the bore and having a marking end which extends outwardly beyond the circumference. As a second embodiment, the base member has an extended portion with a keypad member mounted thereto, an LCD display and driver disposed therein, a microcontroller having read only memory disposed in the extended portion, a spring-loaded marker disposed in a bottom of the extended portion, and a plurality of marker-triggering members securely and spacedly disposed on one side of the wheel for triggering the release of the spring-loaded marker to mark the locations of the studs.

There has thus been outlined, rather broadly, the more important features of the invention in order that the detailed

description thereof that follows may be better understood, and in order that the present contribution to the art may be better appreciated. There are additional features of the invention that will be described hereinafter and which will form the subject matter 5 of the claims appended hereto.

In this respect, before explaining at least one embodiment of the invention in detail, it is to be understood that the invention is not limited in its application to the details of construction and to 10 the arrangements of the components set forth in the following description or illustrated in the drawings. The invention is capable of other embodiments and of being practiced and carried out in various ways. Also, it is to be understood that the phraseology and 15 terminology employed herein are for the purpose of description and should not be regarded as limiting.

As such, those skilled in the art will appreciate that the conception, upon which this disclosure is based, may readily be utilized as a basis for the designing of other structures, methods 20 and systems for carrying out the several purposes of the present invention. It is important, therefore, that the claims be regarded as including such equivalent constructions insofar as they do not depart from the spirit and scope of the present invention.

25 Further, the purpose of the foregoing abstract is to enable the U.S. Patent and Trademark Office and the public generally, and especially the scientists, engineers and practitioners in the art who are not familiar with patent or legal terms or phraseology, to determine quickly from a cursory inspection the nature and essence 30 of the technical disclosure of the application. The abstract is neither intended to define the invention of the application, which is

measured by the claims, nor is it intended to be limiting as to the scope of the invention in any way.

It is therefore an object of the present invention to provide a
5 new stud marking device which has many of the advantages of the stud marker mentioned heretofore and many novel features that result in a new stud marking device which is not anticipated, rendered obvious, suggested, or even implied by any of the prior art a stud marker, either alone or in any combination thereof.

10

It is another object of the present invention to provide a new stud marking device which may be easily and efficiently manufactured and marketed.

15

It is a further object of the present invention to provide a new stud marking device which is of a durable and reliable construction.

20

An even further object of the present invention is to provide a new stud marking device which is susceptible of a low cost of manufacture with regard to both materials and labor, and which accordingly is then susceptible of low prices of sale to the consuming public, thereby making such stud marking device economically available to the buying public.

25

Still yet another object of the present invention is to provide a new stud marking device which provides in the apparatuses and methods of the prior art some of the advantages thereof, while simultaneously overcoming some of the disadvantages normally associated therewith.

30

Still another object of the present invention is to provide a new stud marking device for easily and quickly marking locations of studs.

5 Yet another object of the present invention is to provide a new stud marking device which includes includes a handle having a tubular base member having a pair of prong-like members extending outwardly from a bottom thereof, and further having three telescopic members slidably and lockingly extended within one

10 another, and further includes a wheel being of many different sizes and being rotatably mounted to the prong-like members. As a first embodiment, the wheel has a bore radially extended through the circumference with a marker being threaded in the bore and having a marking end which extends outwardly beyond the circumference.

15 As a second embodiment, the base member has an extended portion with a keypad member mounted thereto, an LCD display and driver disposed therein, a microcontroller having read only memory disposed in the extended portion, a spring-loaded marker disposed in a bottom of the extended portion, and a plurality of marker-

20 triggering members securely and spacedly disposed on one side of the wheel for triggering the release of the spring-loaded marker to mark the locations of the studs.

Still yet another object of the present invention is to provide a new stud marking device that provides accurate and pain-free measurements of stud locations.

Even still another object of the present invention is to provide a new stud marking device that substantially saves times and is efficient.

These together with other objects of the invention, along with the various features of novelty which characterize the invention, are pointed out with particularity in the claims annexed to and forming a part of this disclosure. For a better understanding of the 5 invention, its operating advantages and the specific objects attained by its uses, reference should be made to the accompanying drawings and descriptive matter in which there are illustrated preferred embodiments of the invention.

10 BRIEF DESCRIPTION OF THE DRAWINGS

The invention will be better understood and objects other than those set forth above will become apparent when consideration is given to the following detailed description thereof. Such 15 description makes reference to the annexed drawings wherein:

Figure 1 is a perspective view of a new stud marking device according to the present invention.

20 Figure 2 is a side elevational view of the wheel of the present invention.

Figure 3 is a side elevational view of the various wheels of the present invention.

25 Figure 4 is an exploded detailed perspective view of prong-like members and the wheel of the present invention.

Figure 5 is a side elevational view of the second embodiment 30 of the present invention.

Figure 6 is an end elevational view of the second embodiment of the present invention.

Figure 7 is a schematic diagram of the second embodiment of the present invention.

5 DESCRIPTION OF THE PREFERRED EMBODIMENT

With reference now to the drawings, and in particular to Figures 1 through 7 thereof, a new stud marking device embodying the principles and concepts of the present invention and generally 10 designated by the reference numeral 10 will be described.

As best illustrated in Figures 1 through 7, the stud marking device 10 generally comprises a handle 11 including a tubular base member 12 having a pair of prong-like members 14,15 spaced apart 15 and integrally extending from a bottom end thereof, and further including a plurality of telescopic members slidably disposed within one another including the tubular base member 12. The telescopic members includes a first tubular member 20 having a plurality of holes 21 spaced therealong and extending through a 20 wall thereof with the first tubular member 20 being slidably and lockingly extended in the base member 12 with a fastening member 13, and further includes a second tubular member 24 also having a plurality of holes 23 spaced therealong and extending through a wall thereof with the second tubular member 24 being slidably and 25 lockingly extended in the first tubular member 20 with another fastening member 22, and also includes a third elongate member 27 having a hand-hold member 29 securely and conventionally disposed at an end thereof with the third elongate member 27 being slidably and lockingly extended in the second tubular member 24 30 with yet another fastening member 28. The base member 12 further

includes a pair of slots 16,17 each of which extends in a bottom end of a respective one of the prong-like members 14,15.

A means for marking stud locations includes a wheel 30 rotatably mounted to the base member 12 and being extended 5 between the prong-like members 14,15, and further includes an axle member 32 securely and centrally and conventionally attached to either side of the wheel 30 and being adapted to being removeably retained in the slots 16,17 in the base member 12.

As a first embodiment, the wheel 30 includes a bore 31 10 extending in a circumference thereof, and the means for marking stud locations also includes a marker 33 threaded in the bore 31 and having a marking end which extends slightly outwardly beyond the circumference of the wheel 30 for marking a stud location upon a surface.

As a second embodiment, the base member 12 includes an 15 extended portion 40 integrally extending outwardly and angled from one of the prong-like members 14,15 and including a housing. The means for marking stud locations includes a keypad member 41 securely and conventionally mounted to the extended portion 40 for 20 selecting a desired location of a stud upon a surface, an LCD display 42 conventionally disposed in the extended portion 40 and readable by a user, a microcontroller 43 including read only memory and being conventionally disposed within the extended portion and being conventionally connected to the LCD display 42 25 and to the keypad member 41, a spring-loaded marker 44 which is biasedly-disposed in a bottom end of the extended portion 40 for marking stud locations, and a plurality of marker-triggering members 45 spacedly and conventionally disposed or welded upon one side of the wheel 30 for triggering the microcontroller 43 30 which releases the spring-loaded marker 44 to extend outwardly

beyond the circumference of the wheel 30 for marking a surface. The marker-triggering members 45 are essentially rib-like members extending radially of the wheel 30 and being spaced approximately one inch apart as measured along the circumference of the wheel

5 30. The means for marking stud locations further includes an LCD driver conventionally disposed within the extended portion 40 and connected to the microcontroller 43 which further includes an IR transmitter and IR receiver.

In use, the user can extend the handle 11 up to 55 inches as
10 desired by the user and either select the size of the wheel 30 needed to mark the locations of the studs on a particular surface, or key in the desired locations of the studs in the keypad member 41, and when the wheel 30 reaches the desired locations, the marker-triggering members 45 will trigger the microcontroller which will
15 release the spring-loaded marker 44 which will mark the location on the surface.

As to a further discussion of the manner of usage and operation of the present invention, the same should be apparent
20 from the above description. Accordingly, no further discussion relating to the manner of usage and operation will be provided.

With respect to the above description then, it is to be realized that the optimum dimensional relationships for the parts of the
25 invention, to include variations in size, materials, shape, form, function and manner of operation, assembly and use, are deemed readily apparent and obvious to one skilled in the art, and all equivalent relationships to those illustrated in the drawings and described in the specification are intended to be encompassed by
30 the present invention.

Therefore, the foregoing is considered as illustrative only of the principles of the invention. Further, since numerous modifications and changes will readily occur to those skilled in the art, it is not desired to limit the invention to the exact construction 5 and operation shown and described, and accordingly, all suitable modifications and equivalents may be resorted to, falling within the scope of the invention.

CLAIMS

I claim:

1. A stud marking device comprising:

a handle including a tubular base member having a pair of prong-like members spaced apart and integrally extending from a bottom end thereof, and further including a plurality of telescopic members slidably disposed within one another including said tubular base member; and

a means for marking stud locations including a wheel rotatably mounted to said base member and being extended between said prong-like members.

2. A stud marking device as described in claim 1, wherein said telescopic members includes a first tubular member having a plurality of holes spaced therealong and extending through a wall thereof, said first tubular member being slidably and lockingly extended in said base member, and further includes a second tubular member also having a plurality of holes spaced therealong and extending through a wall thereof, said second tubular member being slidably and lockingly extended in said first tubular member, and also includes a third elongate member having a hand-hold member securely disposed at an end thereof, said third elongate member being slidably and lockingly extended in said second tubular member.

3. A stud marking device as described in claim 2, wherein said base member further includes a pair of slots each of which

extends in a bottom end of a respective one of said prong-like members.

4. A stud marking device as described in claim 3, wherein said means for marking stud locations further includes an axle member securely and centrally attached to either side of said wheel and being adapted to being removeably retained in said slots in said base member.

5. A stud marking device as described in claim 4, wherein said wheel includes a bore radially extending in a circumference thereof.

6. A stud marking device as described in claim 5, wherein said means for marking stud locations also includes a marker threaded in said bore and having a marking end which extends slightly outwardly beyond the circumference of said wheel.

7. A stud marking device as described in claim 4, wherein said base member includes an extended portion extending outwardly and angled from one of said prong-like members and including a housing.

8. A stud marking device as described in claim 7, wherein said means for marking stud locations includes a keypad member mounted to said extended portion for selecting a desired location of a stud upon a surface, an LCD display disposed in said extended portion and readable by a user, a microcontroller including read only memory and being disposed within said extended portion and connected to said LCD display and to said keypad member, a

spring-loaded marker which is biasedly-disposed in a bottom end of said extended portion for marking stud locations, and a plurality of marker-triggering members spacedly disposed upon one side of said wheel for triggering said microcontroller which releases said spring-loaded marker which extends outwardly beyond the circumference of said wheel to mark a surface.

9. A stud marking device as described in claim 8, wherein said marker-triggering members are essentially rib-like members extending radially of said wheel.

10. A stud marking device as described in claim 9, wherein said marker-triggering members are spaced approximately one inch apart as measured along the circumference of said wheel.

11. A stud marking device as described in claim 10, wherein said means for marking stud locations includes an LCD driver disposed within said extended portion and connected to said microcontroller which further includes an IR transmitter and IR receiver.

12. A stud marking device comprising:

a handle including a tubular base member having a pair of prong-like members spaced apart and integrally extending from a bottom end thereof, and further including a plurality of telescopic members slidably disposed within one another including said tubular base member, said telescopic members including a first tubular member having a plurality of holes spaced therealong and extending through a wall thereof, said first tubular member being slidably and lockingly extended in said base member, and further

including a second tubular member also having a plurality of holes spaced therealong and extending through a wall thereof, said second tubular member being slidably and lockingly extended in said first tubular member, and also including a third elongate member having a hand-hold member securely disposed at an end thereof, said third elongate member being slidably and lockingly extended in said second tubular member, said base member further including a pair of slots each of which extends in a bottom end of a respective one of said prong-like members; and

a means for marking stud locations including a wheel rotatably mounted to said base member and being extended between said prong-like members, said means for marking stud locations further including an axle member securely and centrally attached to either side of said wheel and being adapted to being removeably retained in said slots in said base member

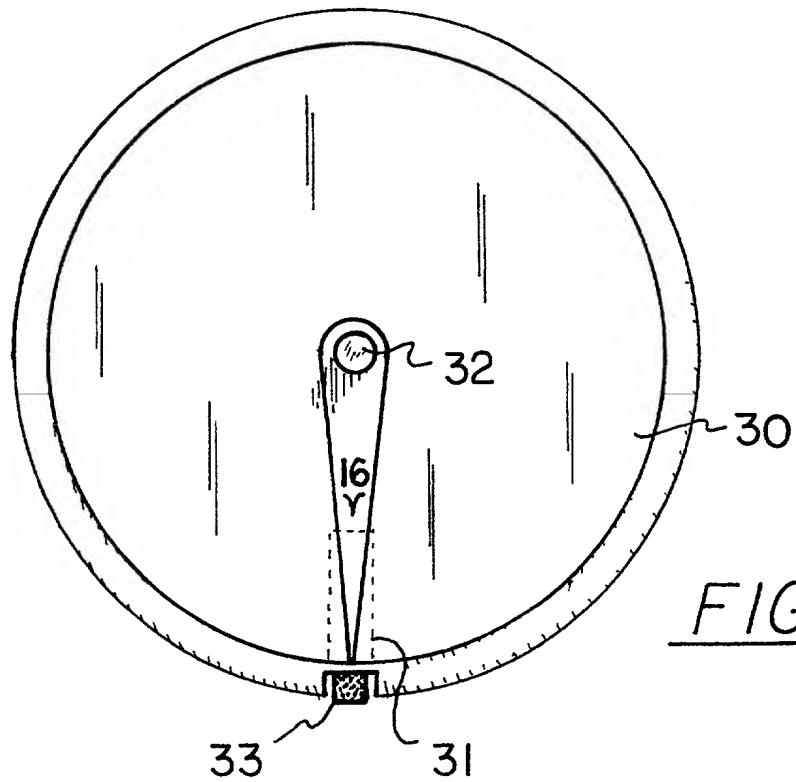
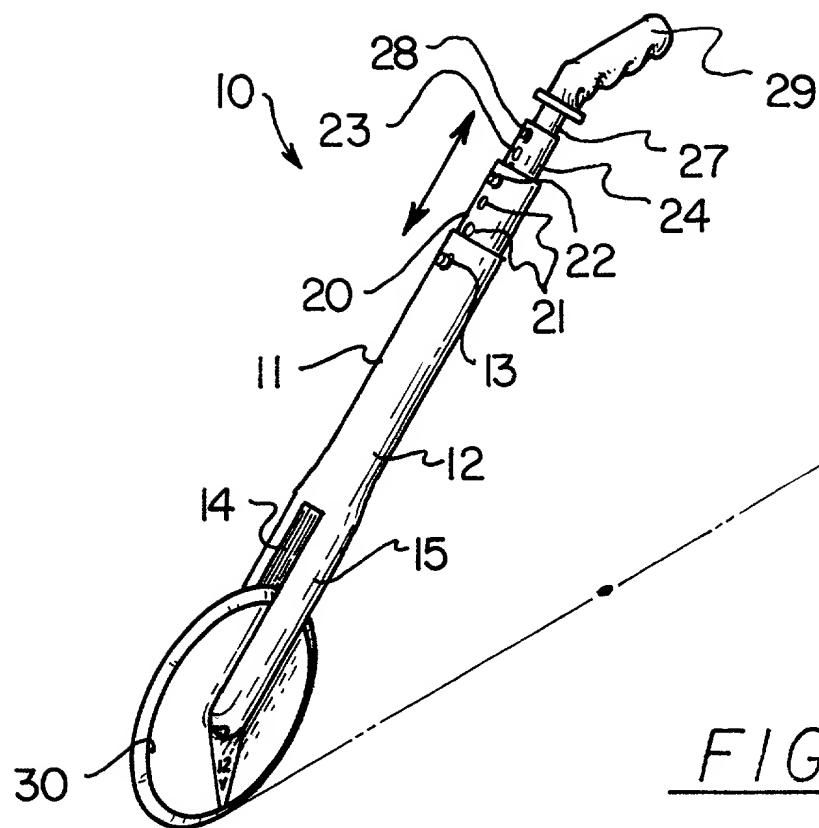
13. A stud marking device as described in claim 12, wherein said wheel includes a bore radially extending in a circumference thereof, said means for marking stud locations also including a marker threaded in said bore and having a marking end which extends slightly outwardly beyond the circumference of said wheel.

14. A stud marking device as described in claim 12, wherein said base member includes an extended portion extending outwardly and angled from one of said prong-like members and including a housing, said means for marking stud locations including a keypad member mounted to said extended portion for selecting a desired location of a stud upon a surface, an LCD display disposed in said extended portion and readable by a user, a microcontroller including read only memory and being disposed within said

extended portion and connected to said LCD display and to said keypad member, a spring-loaded marker which is biasedly-disposed in a bottom end of said extended portion for marking stud locations, and a plurality of marker-triggering members spacedly disposed upon one side of said wheel for triggering said microcontroller which releases said spring-loaded marker which extends outwardly beyond the circumference of said wheel to mark a surface, said marker-triggering members being essentially rib-like members extending radially of said wheel and being spaced approximately one inch apart as measured along the circumference of said wheel, said means for marking stud locations including an LCD driver disposed within said extended portion and connected to said microcontroller which further includes an IR transmitter and IR receiver.

ABSTRACT OF THE DISCLOSURE

5 A stud marking device for easily and quickly marking locations of studs. The stud marking device includes includes a handle having a tubular base member having a pair of prong-like members extending outwardly from a bottom thereof, and further having three telescopic members slidably and lockingly extended
10 within one another, and further includes a wheel being of many different sizes and being rotatably mounted to the prong-like members. As a first embodiment, the wheel has a bore radially extended through the circumference with a marker being threaded in the bore and having a marking end which extends outwardly beyond
15 the circumference. As a second embodiment, the base member has an extended portion with a keypad member mounted thereto, an LCD display and driver disposed therein, a microcontroller having read only memory disposed in the extended portion, a spring-loaded marker disposed in a bottom of the extended portion, and a
20 plurality of marker-triggering members securely and spacedly disposed on one side of the wheel for triggering the release of the spring-loaded marker to mark the locations of the studs.



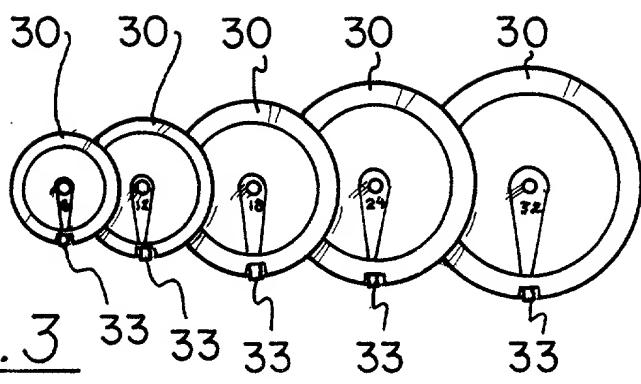


FIG. 3

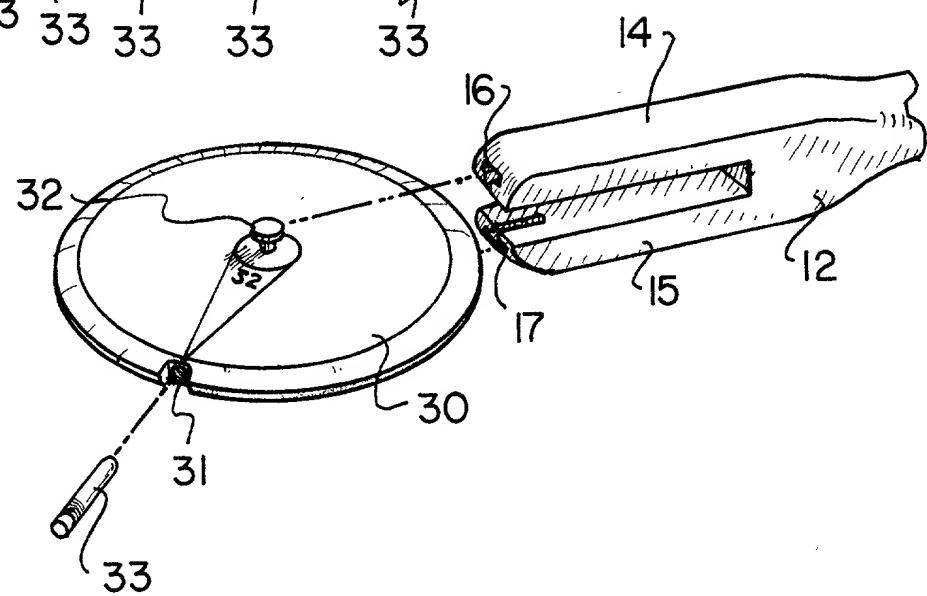
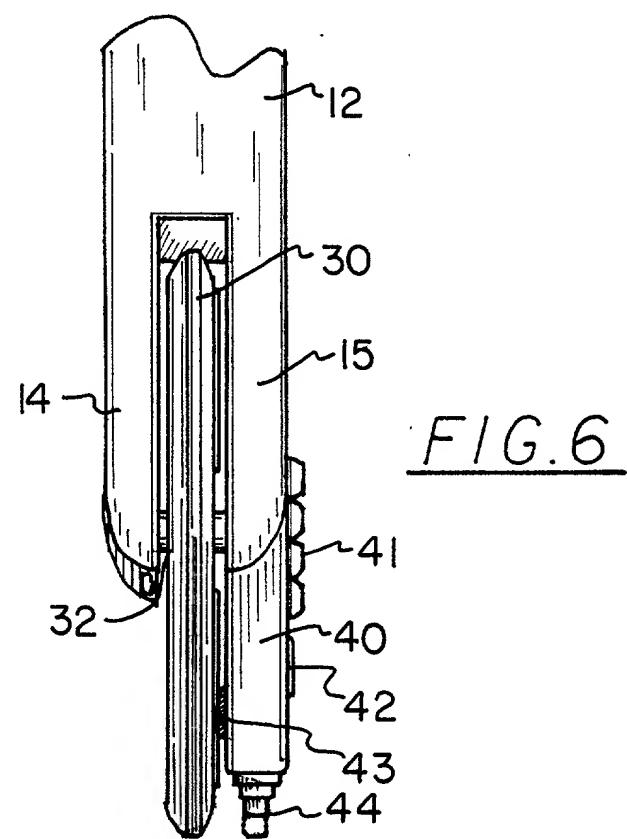
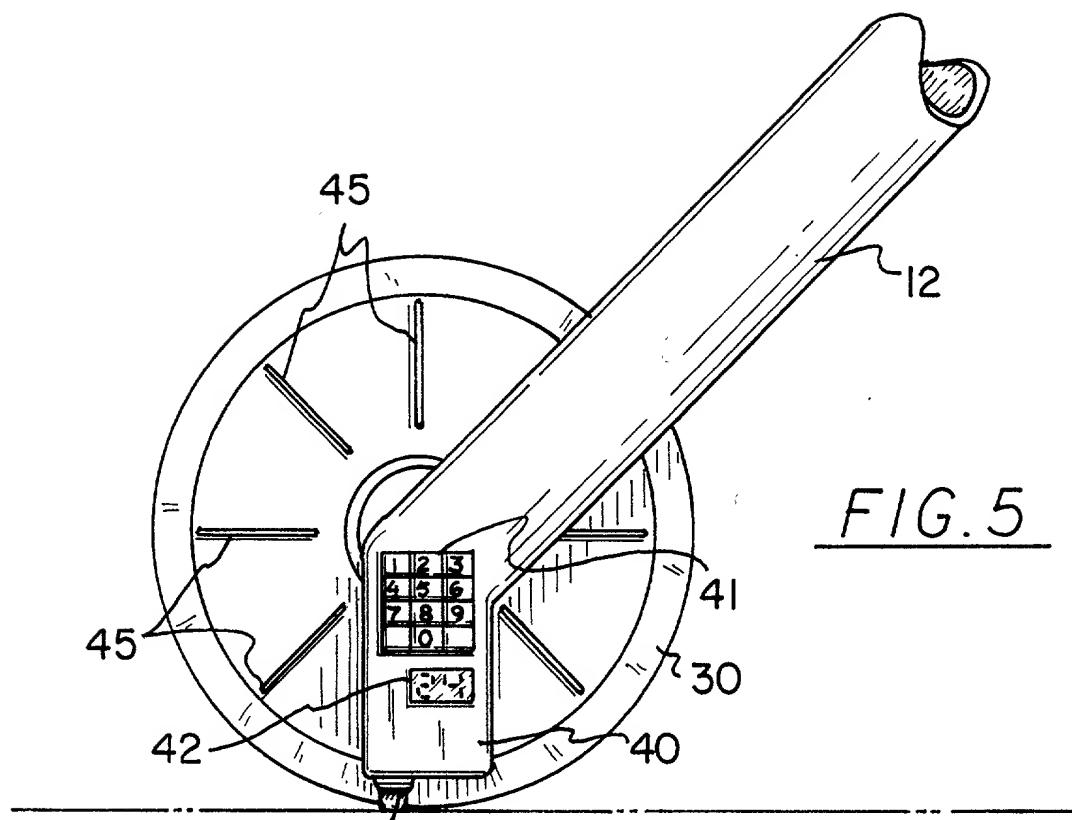


FIG. 4



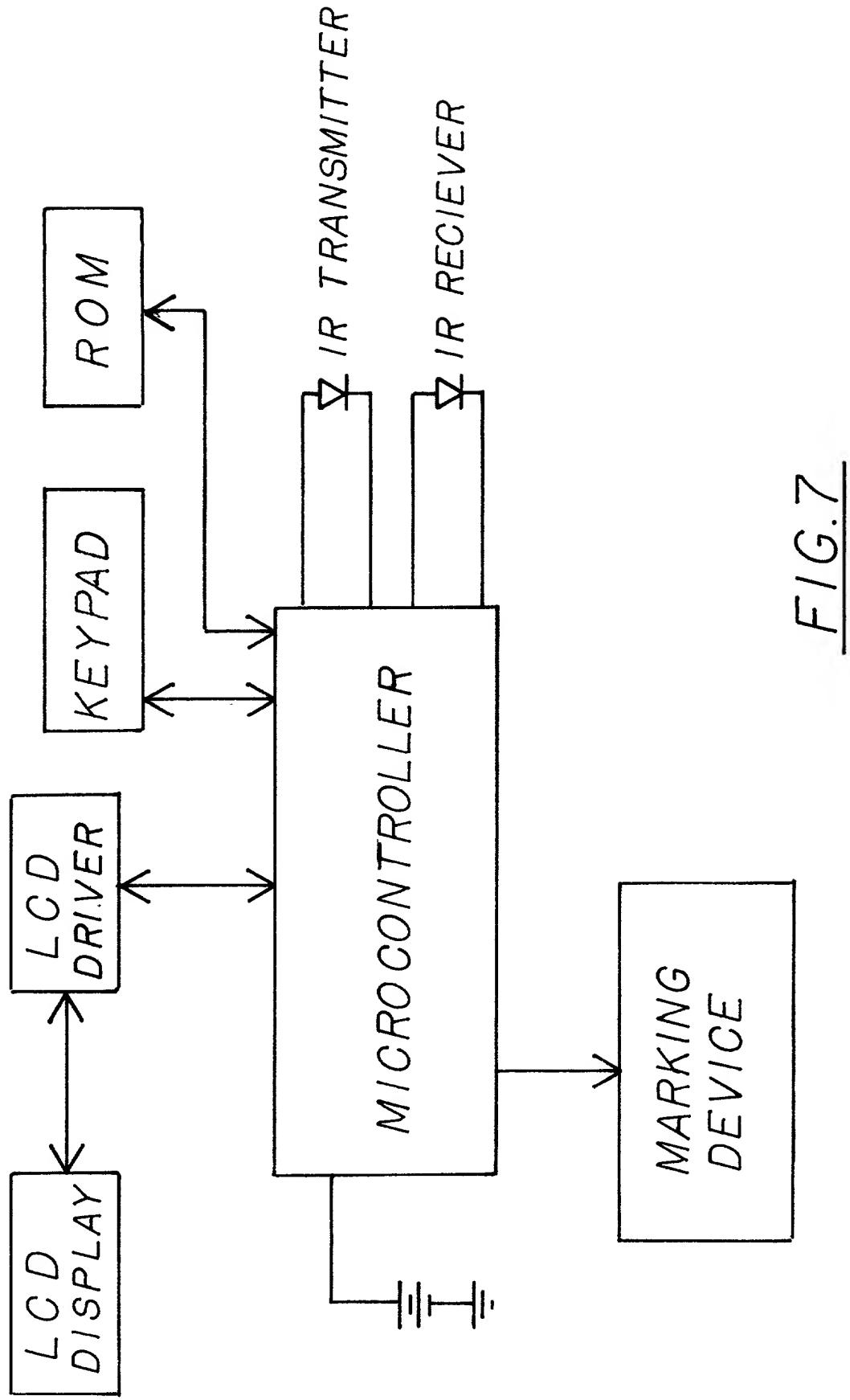


FIG. 7

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

STUD MARKING DEVICE

the specification of which is attached hereto.

I further state that I do not know and do not believe that the above-named invention has ever been known or used in the United States before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or in public use or on sale in the United States more than one year prior to this application; that the invention has not been patented or made the subject of any inventor's certificate in any country foreign to the United States on any application filed by me or my legal representatives or assigns more than one (1) year prior to this application; and that no application for patent or inventor's certificate on the invention has been filed by me or my representatives or assigns in any country foreign to the United States, except as identified below.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment if applicable.

I acknowledge the duty to disclose information to the Patent and Trademark Office all information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>NONE</u> (Number)	<u>(Country)</u>	<u>(Day/Month/ Year Filed)</u>	<u>(Yes)</u>	<u>(No)</u>
-------------------------	------------------	------------------------------------	--------------	-------------

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States Provisional application(s) listed below:

<u>NONE</u> (Application No.)	<u>(Filing Date)</u>
----------------------------------	----------------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365 (c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

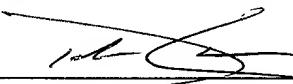
<u>NONE</u> (Application No.)	<u>(Filing Date)</u>	<u>(Status - patented, pending, abandoned)</u>
----------------------------------	----------------------	--

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith: Ivar M. Kaardal, Registration Number 29,812.

Send Correspondence to: Kaardal & Associates, PC
Attn: Ivar M. Kaardal
3500 South First Ave. Circle - Suite 250
Sioux Falls, South Dakota 57105-5807
Telephone (605) 336-9446, FAX (605) 336-1931
e-mail: patent@kaardal.com

Full Name of Inventor: **DEREK ANDERSEN**


Inventor's Signature

Date: 12-6-99

Residence: **FORT WORTH, TEXAS**

Citizenship: **UNITED STATES OF AMERICA**

Post Office Address: **5301 OVERTON RIDGE BOULEVARD #1626
FORT WORTH, TX 76132**